

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

KEVIN DALE CARSON,

Petitioner,

V.

SCOTT SPEER,

## Respondent.

Case No. C25-5002-RSM

## ORDER DISMISSING ACTION

Having reviewed Petitioner's petition for writ of habeas corpus, the Report and Recommendation of Michelle L. Peterson, United States Magistrate Judge, Petitioner's Objections, and the remainder of the record, the Court hereby finds and ORDERS:

- (1) The Report and Recommendation is approved and adopted.
  - (2) Petitioner's petitioner for writ of habeas corpus (dkt. #8) and this action are DISMISSED as time barred under 28 U.S.C. § 2244(d).
  - (3) In accordance with Rule 11 of the Rules Governing Section 2255 Cases in the United States District Courts, a certificate of appealability is DENIED.
  - (4) Given the above, Petitioner's Motion to Amend, Dkt. #21, is DENIED as moot.
  - (5) The Clerk is directed to send copies of this Order to Petitioner and to the Honorable Michelle L. Peterson.

**ORDER RE: MOTION TO WITHDRAW  
AND MOTION TO STRIKE - 1**

1 DATED this 30<sup>th</sup> day of June, 2025.  
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RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

ORDER RE: MOTION TO WITHDRAW  
AND MOTION TO STRIKE - 2